IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1292 OF 2006

Nehru Nagar Matrukunj Co-op.
Hsg. Soc. ... Petitioner

Versus

The Municipal Corporation of Greater
Bombay and anr. ... Respondents

Mr. R.A.Rodrigues with Mr. Pratap Singh for Petitioner.

Mrs. S. Ajitkumar for Respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA JJ.
DATE : 4th May, 2006

P.C.:

. Rule. Heard forthwith.

. The Petitioners have IOD in their favour. By notice dated 23.2.2005 they were asked not to proceed with the work. The reason given was they have not submitted railway N.O.C. The Petitioners, it appears that thereafter addressed a letter to the Railway Authorities to which they received communication dated 13.1.2006 setting out therein that they should approach MMRDA/MUTP for confirmation of private land requirement. The MMRDA by communication dated 13.1.2006 had intimated the Petitioners that the property/building is not affected by the 7th rail corridor project which has been dropped as also will not be affected by Mumbai Metro Line 3 Project. On behalf of Respondents, their learned counsel points out that the matter is pending for consideration before the Municipal Commissioner. Considering that the Petitioners have

IOD in their favour and land is not required for the railway project, we direct the Commissioner to dispose of the Petitioner’s pending application at the earliest not latter than four months from today. With the above observations, Petition stands disposed of.

(F.I.REBELLO, J.)

(ANOOP V. MOHTA, J.)